

**AMENDMENTS TO THE CLAIMS**

Amendments are made under 37 C.F.R. § 1.173(d). The listing of the claims will replace all prior versions, and listings of claims in the application.

**Listing of Claims:**

1. (Amended) An apparatus comprising a scalpel and a container holding said scalpel, said scalpel including:

a blade attached to a handle, said scalpel having a major cross-sectional dimension and a minor cross-sectional dimension;

and said container including:

an elongated scalpel recess closed at each end and receiving said scalpel, and having a first portion receiving said scalpel blade and a second portion receiving at least part of said scalpel handle, said portions having a width slightly greater than that of the major cross-sectional dimension of the scalpel and depth slightly greater than that of the minor cross-sectional dimension of the scalpel, the length of said scalpel recess being such that the scalpel blade is located within one of said portions irrespective of the position of the scalpel in the scalpel recess, the width being substantially constant for the length of each of said portions, and guide means for physically guiding a scalpel placed in said container [to] at a position outside of said recess into said scalpel recess;

the [arrangement] scalpel recess being [such that] constructed so the scalpel received within said scalpel recess is positioned therein such that the scalpel blade is not directed towards the opening of the scalpel recess whereby a user's fingers are substantially prevented from contacting a cutting portion of the scalpel blade.

2. (Original) An apparatus as claimed in claim 1, wherein said container includes inclined walls converging to said opening, the inclined walls constituting said guide means.

3. (Original) An apparatus as claimed in claim 1, wherein said scalpel recess has sidewalls and a base, the junctions thereof being radiusd such that a scalpel is disposed to rest in the recess with its major cross-sectional dimension parallel to said base.

4. (Original) An apparatus as claimed in claim 1, said container including access means for providing a user with access to the scalpel handle for removing the scalpel from said scalpel recess.

5. (Original) An apparatus as claimed in claim 4, wherein said access means includes a finger access recess, the cross sectional configuration of said finger access recess being such as to allow a user's fingers to contact the scalpel handle for removing the scalpel from said scalpel recess, the position of said finger access recess being such that the scalpel blade is not located within said finger access recess irrespective of the position of the scalpel in the instrument recess.

6. (Original) An apparatus as claimed in claim 1, said container including barrier means for preventing a user's fingers from entering said scalpel recess.

7. (Original) An apparatus as claimed in claim 6, wherein said barrier means constitutes the opening to said scalpel recess, the width of said opening being such as to allow a scalpel to enter the recess but to prevent a user's fingers entering the recess.

8. (Original) An apparatus as claimed in claim 1, said container including handle means whereby a user can hold the container.

9. (Original) An apparatus as claimed in claim 1, said container including handle mounting means for mounting a detachable handle whereby a user can hold the container.

10. (Original) An apparatus as claimed in claim 1, said container including a plurality of said scalpel recesses each adapted to receive a scalpel therein.

11. (Amended) [A container for holding a suture needle holder and a suturing needle held thereby during surgical procedures] An apparatus comprising a suture needle holder, a suturing needle being held thereby, and a container holding said suture needle holder, the container including:

a substantially semi-cylindrical needle recess adapted to receive the suturing needle therein, and

guide means for physically guiding a suturing needle held by a suture needle

holder [to] at a position outside said recess into said needle recess;

[the arrangement being such that] wherein a suturing needle received within said needle recess is positioned therein such that the point of the suturing needle is positioned within the needle recess such that a user's fingers are substantially prevented from contacting the point.

12. (Amended) A method of retrievably and temporarily storing a scalpel between uses of the scalpel during a surgical procedure, said scalpel having a handle portion and a blade and having a major cross-sectional dimension and a minor cross-sectional dimension, said method comprising:

placing the scalpel held by an operator into an instrument recess in an instrument holding container, the scalpel being held within the container to be easily accessible during surgical procedures, and

removing the scalpel by the operator from the instrument recess, said instrument recess having a length longer than the length of the scalpel and said instrument being closed at each end and adapted to receive said scalpel, and having a first portion adapted to receive said scalpel blade and a second portion adapted to receive at least part of said scalpel handle, said portions having a width slightly greater than that of the major cross-sectional dimension of the scalpel and depth slightly greater than that of the minor cross-sectional dimension of the scalpel, the length of said scalpel recess being such that the scalpel blade is located within one of said portions irrespective of the position of the scalpel in the scalpel recess, and said instrument holding container having inclined guides for guiding a scalpel placed therein to said instrument recess, the arrangement being such that a scalpel received within said instrument recess is [position] positioned therein to be easily accessible for re-use during surgical procedures and such that the cutting portion thereof is not directed towards the opening of the instrument recess whereby an operator's fingers are substantially prevented from contacting said cutting portion.